

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC 20554-0001

MAY - 5 1998

IN THE MATTER OF:

BIENNIAL REGULATORY REVIEW - AMENDMENT OF
PARTS 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, AND
101 OF THE COMMISSION'S RULES TO FACILITATE
THE DEVELOPMENT AND USE OF THE UNIVERSAL
LICENSING SYSTEM IN THE WIRELESS
TELECOMMUNICATIONS SERVICES

FCC MAIL ROOM

[WT DOCKET No. 98-20

COMMENTS

I wish to file COMMENTS in the above referenced Notice of Proposed Rule Making released March 18, 1998, with comments due May 7, 1998. These Comments are being mailed in sufficient time to arrive at the Commission prior to the filing deadline. In the event that they are not received in time, I move that they be accepted for filing. These comments will be related to those proposals that relate to the Amateur Radio Service.

1. The major concern that I have is the Commission's desire to make the use of the Universal Licensing System ["ULS"] mandatory on all applicants and licensees. While I can appreciate the desire of the Commission to have most or all of the applications filed through the ULS, there still must be a means by which a filing can be made manually. Amateur licensees span the complete range of the citizens of the country. While many will have access to computers to make their filing, many also will not have the ability. Furthermore, most amateurs will make one filing every ten years. To expect them to obtain and maintain the necessary equipment and expertise with this infrequent use is inappropriate. There are also instances which relate to the failure of the system or equipment which could cause an undesired delay.
2. The ability to file exhibits to applications, such as I had to do with my amateur renewal, will require a much greater level of computer knowledge and equipment than that which would be required to just "fill in the blanks" on a form.

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3. The Comments filed by The W5YI Group, Incorporated proposing 100% electronic filing are self serving and appear to be an attempt to increase their income.
4. The second major concern that I have relates to the privacy issue. The requirement to provide one's Social Security Number ["SSN"] is inappropriate. The SSN is provided to allow for Social Security and Internal Revenue Service use. The adaptation of the number for a universal identifier is only an invitation to fraud. There are many instances where certain Amateur Radio applicants/licensees will not have a SSN, such as foreign citizens, military recreation stations, RACES stations, and clubs that do not have bank accounts.
5. To the extent that this information is required for compliance with the Debt Collection Improvement Act of 1996, it would only apply to those applications that required a filing fee [which only applies for Amateur Vanity Call Sign applications] and only in those instances where a fee refund was made. Since the number of Vanity Call Sign refunds represents an extremely small percentage of all amateur applications that are filed with the Commission, the request for all applicants/licensees to provide their SSN is inappropriate. The SSN could be requested in those small handful of cases where a fee refund was being made.
6. Privacy would also be affected since many Amateur Radio Service applications will be filed with or be made available to outside entities and non-FCC employees such as those applications required for examinations or special individual or club call sign administration.
7. The requirement to complete the certification with respect to the Anti-Drug Abuse Act of 1988 does not apply to Amateur Radio Service licensees and should not be required on the form. The requirement to provide one's SSN in order to obtain an Amateur Radio license must not be instituted.

8. The present FCC Form 610 requires four pages to provide the necessary form and instructions. The present FCC Forms 610-A and 610-B would add another four pages although if the three forms were combined, it might take less than the total of eight pages. [Elimination of the reciprocal licensing would reduce two pages]. The proposed FCC Form 605 requires a total of 21 pages. A request to renew one's Amateur Radio Service license on the current FCC Form 610 requires response to only ten questions. The same renewal on the proposed FCC Form 605 would require responses to 25 questions, many of which are not related to an Amateur renewal and would be unfamiliar and confusing to many applicants. The present three Amateur Radio Service forms should be combined into a separate simple new form independent of the FCC Form 605.
9. The requirement to provide telephone numbers, both voice and fax, and e-mail addresses should be voluntary.
10. The Commission proposes to eliminate the licensing for reciprocal licensees. This would require access to an updated listing of countries whose licensees would be eligible. This could be provided on the Commission's website. Reciprocal authorization should not be available to anyone holding United States citizenship, regardless of any other citizenship held by the individual. Furthermore, the individual must be a citizen of the country that issued the basic amateur radio license. These arrangements must exist to reduce the possibility for improper obtaining of US privileges equivalent to the Amateur Extra Class, particularly since many amateur license exams throughout the world require considerably less technical knowledge and code capability.
11. Section 97.107[b][2] must be modified to allow for differences in operating privileges that are available to amateurs in the various regions of the world. For example, while the six meter band [50-54 MHz] is available in the United States [as well as the rest of ITU Region 2 and all of ITU Region 3], it is not available anywhere in ITU Region 1. Therefore, an individual holding the highest grade license available

from an ITU Region 1 country would not be able to operate anywhere on the six meter band while operating in the United States under reciprocal authority. In an similar manner, the 40-meter band is 7.0-7.3 MHz in ITU Region 2 and only 7.0-7.1 MHz throughout the rest of the world. An individual holding the highest grade license available from an ITU Region 1 or 3 country would not be able to operate on the 40-meter band from 7.1 to 7.3 MHz while in the United States. The 1.25-meter band is only available in ITU Region 2 and in the United States is even available to the holder of a Novice Class license. Even so, the holder of the highest class license from an ITU Region 1 or 3 country could not operate on this band while in the United States. These inequities must be eliminated. Reciprocal operators having authority to operate on the 40-meter band while in their own country must be allowed full US privileges on that band using the emissions that are allowed in their own country [i.e. if voice is allowed in their own country, it would be allowed in the US]. Furthermore, if the reciprocal operator is authorized any privileges above 30 MHz in their own country, they should have full privileges in this country for those US frequencies segments or bands which are not available in their own country and therefore would not be available in the United States.

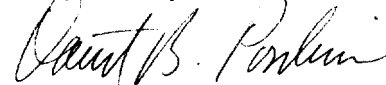
12. To the extent possible, Part 97 of the Commission's rules should be a self-contained publication. The information relating to proper operation of an amateur radio station should be contained in one place that amateurs will be able to obtain. It should not be contained in the general regulations of Part 1 just because it is of a general nature. To obtain Part 1 also will require purchase of the two separate parts.
13. Proposed Section 97.17[b][2] with respect to Club Station Call Sign Administrators should contain the requirement that they must provide their service in a non-discriminatory manner. Furthermore, the applications should either be sent to the Commission or be maintained for a period of two years after the expiration of the license. The public should have the ability to obtain copies of applications through the Commission contractor at any time while the license is valid or within the grace period. The specific call signs that are assigned should be ones that are in the same

sequential call sign system between those that are utilized for club/military stations as well as primary individual licenses which are not covered under this new proposal.

14. The requirement to maintain copies of applications for the entire license period plus the two-year grace period must also apply in all of the instances where it is in the Rules, including proposed Sections 97.21[a][1][ii], 97.21[a][3][iii], 97.29[b], and 97.519[b][3]. As noted above, the ability to discard these applications after a 15 month period would not allow them to be obtained by the public as required to comply with Section 0.453[l] of the Commission's Rules.
15. Question 3 on Part 2 on Page 2 of Schedule C of FCC form 605 should indicate that the Trustee's Primary Station Callsign *[if any]* should be shown. In RACES and Military Recreation stations, the Trustee is not required to hold an Amateur Radio license.
16. The instructions and form for Item 1 of Part 1 of Schedule C of FCC Form 605 should be changed to read, "Is this a request to change your existing station callsign to a different callsign which is assigned by the systematic system?" This would avoid the confusion that exists with the present question which leaves some doubt as to what the word systematically modifies.
17. The reference to the various gates that appear at the end of Question 2 of Part 1 of Schedule C of FCC Form 605 should be eliminated since all of the gates are presently open and therefore is no longer relevant.

For the reasons stated, I request that the rules be changed as shown.

Respectfully submitted,



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May 2, 1998